

**BUTTE COUNTY PUBLIC HEALTH
ENVIRONMENTAL HEALTH DIVISION**

TO: Chico Unified School District
Nord Country School
Attn: Julie Kistle
2455 Carmichael Dr.
Chico, CA 95928

**COMPLIANCE ORDER FOR NONCOMPLIANCE WITH THE NITRATE MAXIMUM
CONTAMINANT LEVEL**

COMPLIANCE ORDER NO. 21_34_17R_001_0400073_01

**Chico Unified School District
Nord Country School
Public Water System #. 0400073
Issued: July 25, 2017**

Section 116655 of Chapter 4 of Part 12 of Division 104 of the California Health and Safety Code (H&S Code) authorizes the issuance of a compliance order for failure to comply with a requirement of the California Safe Drinking Water Act or any regulation, standard, permit, or order issued thereunder.

Butte County Environmental Health (hereinafter "Department"), acting through its the Delegation Agreement with State Water Resource Control Department, Division of Drinking water, hereby issues this compliance order (hereinafter "Order") pursuant to Section 116655 of the California Health and Safety Code (hereinafter "CHSC") to the Nord Country School for violation of CHSC section 116555(a)(1,3) and title 22, California Code of Regulations (hereinafter "CCR"), Section 64431.

APPLICABLE AUTHORITIES

See Attachment A for applicable authorities.

STATEMENT OF FACTS

The Nord Country School water system (hereinafter, "System") is classified as a nontransient noncommunity water system located in Butte County that supplies water for domestic purposes to approximately 170 persons (150 student, 20 staff) . The System operates a groundwater well as its source of domestic water. On July 6, 2017, a nitrate (as N) sample collected from the well indicated a level of 10.7 mg/L (milligrams per liter). A follow-up nitrate sample, taken on July 11, 2017, indicated a level of 11.4 mg/L. The average of these results is 11.05 mg/L, and therefore the drinking water is in exceedance of the nitrate (as N) maximum contaminant level of 10.0 mg/L.

DETERMINATIONS

Based on the above Statement of Facts, The Department has determined that the System is in violation of Section 116555(a)(1,3) of the CHSC, and Section 64431, Title 22, of the CCR, in that the System is not in compliance with the primary drinking water standard by exceeding the nitrate MCL, and thus cannot provide a reliable and adequate supply of pure, wholesome, healthful, and potable water.

DIRECTIVES

This compliance order includes the following directives for the System:

1. Submit a "Request for Technical Assistance", Attachment B, to State Water Resource Control Department no later than August 11, 2017, in order to submit a funding application to develop another domestic water source (well). A completed and acceptable funding application for construction shall be submitted by no later than October 1, 2017. The new domestic water source shall be commissioned by no later than July 1, 2018
2. Continue to collect quarterly samples from the well for nitrate analysis. The analytical results shall be reported to the Department using the source code 04-00073 no later than the 10th day following the month in which the samples were analyzed.
3. Provide quarterly public notification of the Water System's failure to comply with the nitrate MCL. Public notification shall continue as long as the nitrate MCL is violated or until the Water System provides water that meets all applicable drinking water standards. The notification format is provided in Attachment C. Proof of public notification shall be provided to the Department following each quarterly notification by the 10th day of the month following notification, using the form provided as Attachment D.

All submittals required by this Order shall be addressed to:

Butte County Environmental Health

Attn: Amanda Aguiar

202 Mira Loma Dr.
Oroville, CA 95965
(530) 538-5339 (fax)

Nothing in this Order relieves the System of its obligation to meet the requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking Water Act), or any regulation, permit, standard or order issued or adopted thereunder.

The Department reserves the right to make such modifications to this Order, as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be effective upon issuance.

FURTHER ENFORCEMENT ACTION

The California Safe Drinking Water Act (SDWA) authorizes the Department to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order.

The California SDWA also authorizes the Department to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Department; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with and violates an order of the Department. The Department does not waive any further enforcement action by issuance of this citation.

PARTIES BOUND

This Order shall apply to and be binding upon the System, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Order are severable, and the System shall comply with each and every provision thereof notwithstanding the effectiveness of any other provision.



Elaine McSpadden, Director
Butte County Environmental Health

July 25, 2017

Date